

By: Senator(s) Minor

To: Public Utilities;
Public Health and
Welfare

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2832

1 AN ACT TO CREATE A NEW CODE SECTION TO BE CODIFIED AS SECTION
2 41-26-103, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF
3 HEALTH TO DEVELOP ANNUALLY A LIST OF POTENTIALLY NON-VIABLE
4 COMMUNITY PUBLIC WATER SYSTEMS AND TO REQUIRE THE DEPARTMENT OF
5 HEALTH TO OFFER THOSE SYSTEMS TECHNICAL ASSISTANCE AT NO COST TO
6 THE SYSTEM; TO REQUIRE THE DEPARTMENT OF HEALTH TO NOTIFY THE
7 PUBLIC UTILITIES STAFF IF THE SYSTEM REFUSES THE ASSISTANCE OR
8 FAILS TO RESPOND; TO AUTHORIZE THE PUBLIC UTILITY STAFF TO CONDUCT
9 A FINANCIAL OR MANAGERIAL REVIEW, OR BOTH, ON SYSTEMS REFUSING
10 ASSISTANCE OR FAILING TO RESPOND; TO AUTHORIZE THE PUBLIC
11 UTILITIES STAFF TO ASSESS AND COLLECT THE COSTS OF THE REVIEW OR
12 REVIEWS FROM THE APPROPRIATE SYSTEM; AND FOR RELATED PURPOSES.

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

14 SECTION 1. The following shall be codified as Section
15 41-26-103, Mississippi Code of 1972:

16 41-26-103. (1) The department shall develop annually a list
17 of community public water systems which the department, after
18 consultation with the Public Utilities Staff created in Section
19 77-2-1, considers to be potentially non-viable or experiencing
20 other problems which may make the system potentially non-viable.
21 The list shall state the areas of concern and shall be prioritized
22 based upon viability considerations. The department shall notify
23 at a minimum those systems shown in top ten (10) places on the
24 list and shall offer to provide those systems with technical
25 assistance pertaining to the areas of concern for that system at
26 no cost to the system. If the notified community public water
27 system refuses the offer of technical assistance at no cost to the
28 system or fails to respond within sixty (60) days of the written
29 offer, the department shall notify the Public Utilities Staff in
30 writing.

31 (2) Following receipt of notification from the department

32 that a community public water system has refused to accept
33 technical assistance or failed to respond, the Public Utilities
34 Staff may conduct a financial or managerial review, or both, of
35 the system and shall submit a copy of any report to the
36 department. The Public Utilities Staff may assess and collect the
37 cost of any financial or management review, or both, from the
38 community public water system on which the review or reviews are
39 conducted.

40 (3) This section shall stand repealed from and after July 1,
41 2002.

42 SECTION 2. This act shall take effect and be in force from
43 and after July 1, 1999.